

## ARTICLE 8-01

### GENERAL ADMINISTRATION

Chapter  
8-01-01                      Organization of Board

#### CHAPTER 8-01-01 ORGANIZATION OF BOARD

Section  
8-01-01-01                      Organization of Board of Architecture

##### **8-01-01-01. Organization of board of architecture.**

1. **History.** The 1917 legislative assembly passed architectural practice legislation which is codified as North Dakota Century Code chapter 43-03. This chapter requires the governor to appoint a state board of architecture:
  - a. To adopt rules to govern its proceedings.
  - b. For the examination of candidates for registration.
  - c. For the regulation of the practice of architecture and landscape architecture. The board's purpose is to protect the public health, safety, and welfare against incompetent and unscrupulous practice.
  - d. The 2003 legislative assembly enacted landscape architectural registration laws codified in North Dakota Century Code chapter 43-03. This chapter requires the state board of architecture to appoint a landscape architect advisory committee and architect advisory committee to assist in the implementation and coordination of landscape architects' regulation. The committee must consist of three landscape architects and three architects.
2. **Board membership.** The board consists of three members appointed by the governor. A member must be an architect registered in North Dakota who has been a resident of, and in active practice as a principal in, this state for at least three years prior to appointment.
3. **Terms of office.** Each member is appointed for a term of six years, with terms arranged so that one term expires on March fourteenth of each odd-numbered year.
4. **Qualifications and removal.** Each member qualifies by taking the oath of office required of civil officers. The governor may remove a member for inefficiency or neglect of duty.

5. **Officers.** The board elects a president and secretary, who shall also be treasurer, at a regular meeting each year.
6. **Secretary-treasurer's duties.** The secretary-treasurer:
  - a. Records all business of the board at its meetings and keeps all records.
  - b. Collects all fees, deposits all moneys to the board account, and makes all disbursements for board expenses.
  - c. Receives all applications for registration and examinations, receives and answers all correspondence, and maintains files of all communications received and sent, including copies of those by other members.
  - d. Maintains a roster of current registrants and annually publishes and distributes the roster to all registrants and to other persons and agencies as the board determines.
7. **Board records - Seal.**
  - a. Records. Records are open to the public when information is of a general nature. Records and correspondence of a personal nature concerning an individual or firm, such as examination documents, correspondence, financial disclosures, and the like, are confidential and are available only to the board, its counsel, and to the individual or firm itself.
  - b. Seal. The board has adopted a seal for its use. The seal is affixed to certificates of registration, renewal cards, and legal documents, over signatures of the members.
8. **Meetings.** The board holds regular meetings on the first Monday of April and October each year. Special meetings may be held as necessary. Postponement, when necessary, is agreed to by at least two members, and is to a date certain.
  - a. Notice. The secretary shall notify each member in writing at least five days in advance of any special meeting. Should an applicant or other person wish to be present at a special meeting, a request shall be made in writing to the secretary or other member, in time for the secretary to give at least ten days' notice to the applicant or other person.
  - b. Quorum. A quorum shall consist of two members.

- c. Presiding officer. The president shall preside at all meetings. In the president's absence, the senior member present shall preside.
- d. Open meetings. All meetings shall be open to the public.
- e. When meetings not required. Routine business, such as review of applications for registration, may be conducted by mail, when it is in the applicant's and the public's interest. Copies of all correspondence relating to any business conducted outside meetings shall be filed with the secretary.

**9. Compensation of members and expenses of board.**

- a. Limit. The expenditures of the board shall at no time exceed the amount of moneys on deposit to the credit of the board.
- b. Audit. The board accounts shall be audited annually by an independent auditing firm whose members are authorized by law to perform auditing services in North Dakota, and a report of the audit shall be furnished to all members of the board and filed in accordance with state law.
- c. Separate fund - vouchers. All fees and other income collected by the board shall be deposited by the secretary-treasurer in a separate account in a bank authorized to do business in North Dakota. The account shall be drawn against only for expenses of the board, upon properly drawn vouchers signed by the secretary-treasurer.
- d. Secretary's salary - members' per diem. The secretary's salary shall be fixed by board resolution at a regular meeting. The other members shall receive twenty-five dollars per day, or portion thereof, spent in discharge of their duties when away from their practices.
- e. Travel and other expenses. Each member shall receive such travel and other actual expenses as are legitimately incurred in the performance of official duties. Official duties shall include board meetings, attendance as delegates to regional and national meetings of the national council of architectural registration boards, meetings with other professional boards, meetings at which candidates for registration are examined, and whenever attendance of board members is required by a court or other higher authority. Actual expenses incurred by board members for telephone, postage, and the like, in their official duties, shall be reimbursed as provided in subdivision c.

- f. Other expenses. The secretary-treasurer shall pay office rental, stenographic, legal, auditing, printing, and all other legitimate expenses of the board from board funds.
- 10. **Counsel.** The board may, at its expense, employ as legal counsel an attorney who has been admitted to practice in North Dakota. When approved and appointed by the attorney general as "special assistant attorney general", the board attorney shall represent that office in all matters relating to the regulation of the practice of architecture and landscape architecture within the scope of North Dakota Century Code chapter 43-03.
- 11. **Inquiries.** Inquiries regarding the board, registration, examinations, or practice shall be addressed to the secretary at the following address:

State Board of Architecture  
P.O. Box 7370  
Bismarck, ND 58507-7370

**History:** Amended effective October 1, 1989; February 1, 2005.

**General Authority:** NDCC 28-32-02.1

**Law Implemented:** NDCC 28-32-02.1